

DRAFT

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS
HELD FEBRUARY 10, 2005 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Raymond E. Graham, Chairman; Mr. Harry F. Atherton, Vice-Chairman;
Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling;
Mr. Paul S. McCulla, Acting County Administrator; Mr. Kevin Burke,
Acting County Attorney

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

**A WORK SESSION TO DISCUSS BILLING FOR EMERGENCY MEDICAL SERVICE
(EMS) SERVICES**

Philip T. Myer and Darren Stevens, of the Department of Fire and Emergency Services, led a discussion with the Board regarding a proposal to establish a billing program for Emergency Medical Services (EMS) services in Fauquier County.

The meeting was reconvened in Regular Session at 6:30 p.m.

ADOPTION OF THE AGENDA

Mr. Atherton moved to adopt the agenda, with the following changes. Mr. Stribling seconded, and the vote for the motion was 4 - 0 as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. William G. Downey</i>
<i>Abstention:</i>	<i>None</i>

- Add consent agenda item “p”, A Resolution to Authorize Acceptance of a Virginia Department of Aviation Grant for the Terminal Building Feasibility Study for the Warrenton-Fauquier Airport.

CITIZENS' TIME

- Ann Marie Walsh, Executive Director of the Partnership for Warrenton, provided an update on recent activities of the Main Street Program.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Atherton presented A Proclamation to Honor Richard Rector in Recognition of Forty-Eight Years of Distinguished Service to the Citizens of Fauquier County.

CONSENT AGENDA

Mr. Atherton moved to adopt the following consent agenda items. Mr. Stribling seconded, and the vote for the motion was 4 - 0 as follows:

Ayes: **Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling**
Nays: **None**
Absent During Vote: **Mr. William G. Downey**
Abstention: **None**

Approval of the Minutes for the January 13, 2005 Regular Meeting and February 3, 2005 Adjourned Meeting of the Fauquier County Board of Supervisors

A Resolution Approving Travel Expenses in Accordance with Travel Policy and Procedures – Budget Office

RESOLUTION

A RESOLUTION APPROVING TRAVEL EXPENSES IN ACCORDANCE WITH TRAVEL POLICY AND PROCEDURES – BUDGET OFFICE

WHEREAS, the Fauquier County Board of Supervisors has adopted a Travel Policy and Procedures which require approval of expenditures in excess of \$1,000; and

WHEREAS, the Fauquier County Budget Office is requesting approval to send the Budget Office Director to the Government Financial Officer's Association Annual Conference, scheduled for June 25-29, 2005, in San Antonio, Texas, which is anticipated to entail costs of approximately \$1,300; and

WHEREAS, the Budget Office indicates that the conference highlights include debt management, health cares costs, performance measurement, financial planning, and current developments in public budgeting, all of which will enhance and prove beneficial in the management of the Fauquier County Budget; and

WHEREAS, funding has been appropriated in the FY 2005 Budget to support this conference; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Budget Director be, and is hereby, granted approval to attend the Government Financial Officer's Association Annual Conference and to be reimbursed for training and travel expenses.

A Resolution Approving Travel Expenses in Accordance with Travel Policy and Procedures – Finance Office

RESOLUTION

A RESOLUTION APPROVING TRAVEL EXPENSES IN ACCORDANCE WITH TRAVEL POLICY AND PROCEDURES – FINANCE OFFICE

WHEREAS, the Fauquier County Board of Supervisors has adopted a Travel Policy and Procedures which require approval of expenditures in excess of \$1,000; and

WHEREAS, the Fauquier County Finance Department is requesting approval to send the Interim Assistant Finance Director to the Government Financial Officer's Association Annual Conference, scheduled for June 25-29, 2005 in San Antonio, Texas, which is anticipated to entail costs of approximately \$1,300; and

WHEREAS, the Finance Department indicates that the conference highlights include revised auditing standards, implementation of Government Accounting Standards Board Statement 45, dealing with post employment liabilities, improved accounting and financial reporting for School Divisions, establishing and maintaining control over capital assets, and how to improve internal controls, all of which will enhance and prove beneficial in the operations of the Finance Department; and

WHEREAS, funding has been appropriated in the FY 2005 Budget to support this conference; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Interim Assistant Finance Director be, and is hereby, granted approval to attend the Government Financial Officer's Association Annual Conference and to be reimbursed for training and travel expenses.

A Resolution to Approve a Blanket Surety Agreement for the Vint Hill Economic Development Authority as Surety for the Construction of Infrastructure

RESOLUTION

A RESOLUTION TO APPROVE A BLANKET SURETY AGREEMENT FOR THE VINT HILL ECONOMIC DEVELOPMENT AUTHORITY AS SURETY FOR THE CONSTRUCTION OF INFRASTRUCTURE

WHEREAS, the Vint Hill Economic Development Authority has requested that Fauquier County permit it to post a blanket surety instead of individual bonds for individual infrastructure construction projects; and

WHEREAS, the Vint Hill Economic Development Authority has agreed to have Fauquier County named as an additional beneficiary on its construction performance bonds in order to provide additional assurance to the County that infrastructure projects will be completed; and

WHEREAS, the proposed agreement will adequately protect the County and guarantee that sufficient funds to complete infrastructure construction projects will be available in the event of a default; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute a Memorandum of Understanding providing for the use of a blanket surety bond.

A Resolution Assigning Custodianship of the Fauquier County Board of Supervisors' Credit Card

RESOLUTION

A RESOLUTION ASSIGNING CUSTODIANSHIP OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS' CREDIT CARD

WHEREAS, the Board of Supervisors obtained a VISA credit card as a matter of convenience for small purchases, travel reservations, seminar registrations, and miscellaneous expenses; and

WHEREAS, on March 19, 2001, the Board adopted a resolution authorizing obtaining the credit card, and naming Mandi Davis as agent for the Board of Supervisors and custodian of the credit card; and

WHEREAS, Mandi Davis is no longer employed by Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Board does hereby appoint the Deputy Clerk of the Fauquier County Board of Supervisors as custodian of the credit card and that the Deputy Clerk shall confirm that all applicable policies and procedures will be followed.

A Resolution to Approve an Increase in Fees for T-Hangars, Tie-Downs, and Condos at the Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO APPROVE AND INCREASE FEES FOR T-HANGARS, TIE-DOWNS, AND CONDOS AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the Airport Committee has recommended that the fees for T-Hangars, Tie-Downs, and Condo units be increased, as indicated below:

<i>Type of Unit/Space</i>	<i>Current Rate</i>	<i>Recommended Rate</i>
T-Hangar Middle Units	\$ 228.00	\$ 239.00
T-Hangar End Units	\$ 268.00	\$ 281.00
Tie-Downs	\$ 65.00	\$ 68.00
Condos	\$ 65.00	\$ 68.00

; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the recommended rates be, and are hereby, adopted and shall become effective June 1, 2005.

A Resolution to Invest the Assistant Zoning Administrator with the Powers of the Zoning Administrator

RESOLUTION

A RESOLUTION TO INVEST THE ASSISTANT ZONING ADMINISTRATOR WITH THE
POWERS OF THE ZONING ADMINISTRATOR

WHEREAS, pursuant to Virginia Code §15.2-2286, Fauquier County has created the position of Zoning Administrator with all of the powers and responsibilities set forth in the Virginia Code; and

WHEREAS, Fauquier County has created the position of Assistant Zoning Administrator to assist with operations of the Zoning Department, and this position currently is held by W. Todd Benson; and

WHEREAS, it is occasionally necessary for the Assistant Zoning Administrator to exercise the powers and responsibilities of the Zoning Administrator; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Board of Supervisors does hereby invest W. Todd Benson with the power of the Zoning Administrator when the Zoning Administrator is unavailable, or when delegated duties by the Zoning Administrator, and that this investiture shall last while he holds the Assistant Zoning Administrator position with Fauquier County.

A Resolution to Request that the Virginia Department of Transportation Install No Parking Signs on Route 28 (Catlett Road)

RESOLUTION

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF
TRANSPORTATION INSTALL NO PARKING SIGNS ON ROUTE 28 (CATLETT ROAD)
AT WHIPKEY DRIVE

WHEREAS, the Fauquier County Transportation Committee received a request for "No Parking" signage on Route 28 (Catlett Road) at Whipkey Drive at the entrance to the Ashley Glen (Edgewood East) subdivision; and

WHEREAS, the Virginia Department of Transportation (VDOT) requires that the Board of Supervisors forward a resolution approving each request for "No Parking" signage, so VDOT may accommodate these requests; and

WHEREAS, on January 26, 2005, the Fauquier County Transportation Committee recommended approval of the requested "No Parking" signage; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Board of Supervisors does hereby authorize the County's request for installation and maintenance by VDOT of "No Parking" signage on Route 28 (Catlett Road) at Whipkey Drive.

Beach Subdivision: Preliminary Plat PPLT05-MA-011, Marshall District

No action was taken.

Waltham Commons: Preliminary Plat PPLT04-LE-008, Lee District

No action was taken.

Wexford Mews: Preliminary Plat PPLT04-LE-009, Lee District

No action was taken.

A Resolution to Authorize Funding for the Design Standards Manual

RESOLUTION

A RESOLUTION TO AUTHORIZE FUNDING FOR THE DESIGN STANDARDS MANUAL

WHEREAS, the Permitting Review Committee and the Department of Community Development both have strongly recommended the development and implementation of a Design Standards Manual; and

WHEREAS, the Engineers and Surveyors Institute (ESI), member firms and the Department of Community Development are prepared to initiate the project in February of 2005; and

WHEREAS, the Board of Supervisors wants the Design Standards Manual expedited as a priority project for Calendar Year 2005; and

WHEREAS, additional funding for the Department of Community Development is needed for part-time assistance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Board of Supervisors authorizes up to \$45,000 for part-time salaries to be allocated from Contingency Reserve (4-100-091400-9999) to the Department of Community Development for staff assistance from February 14, 2005 to June 30, 2005.

A Resolution Authorizing a Virginia Department of Transportation (VDOT) Revenue Sharing Grant Application for the Route 605/Route 676 Intersection

RESOLUTION

A RESOLUTION AUTHORIZING A VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) REVENUE SHARING GRANT APPLICATION FOR THE
ROUTE 605/ROUTE 676 INTERSECTION

WHEREAS, the Department of Community Development is responsible at the time of zoning permit application for receiving Brookside Community (Brookside and Waterfield) cash contributions for the established New Baltimore Transportation Fund; and

WHEREAS, the funds are to be used for intersection and other road improvements needed as a result of Brookside Community impacts and identified in the testimony and documents for the rezoning and amendments associated with that residential community; and

WHEREAS, the adopted New Baltimore Service District Plan had the Route 605 / Route 676 intersection as one of its top five secondary road improvements; and

WHEREAS, this planned improvement assists in improved and safer access for the increased levels of residential and construction traffic at this location, including turn lanes; and

WHEREAS, the Board of Supervisors desires to take advantage of Brookside transportation cash proffers and the Virginia Department of Transportation Revenue Sharing Program for implementing needed improvements benefiting the New Baltimore Service District and the Brookside community; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Board of Supervisors does hereby direct the County Administrator, or his designee, to submit a Revenue Sharing Application to Virginia Department of Transportation for the Route 605/Route 676 intersection improvement and commits \$150,000 from the New Baltimore Transportation Fund as the County's share.

A Resolution to Approve Consolidation of Plans to Construct a 204-Bed Community Corrections Center ("CCC"), and to Add a Third, Medium-Security, 96-Bed Housing Unit ("Third Pod") to the Main Building of the Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center ("Regional Jail")

RESOLUTION

A RESOLUTION TO APPROVE CONSOLIDATION OF PLANS TO CONSTRUCT A
204-BED COMMUNITY CORRECTIONS CENTER ("CCC"), AND TO ADD A THIRD,
MEDIUM-SECURITY, 96-BED HOUSING UNIT ("THIRD POD") TO THE MAIN
BUILDING OF THE CLARKE-FAUQUIER-FREDERICK-WINCHESTER REGIONAL
ADULT DETENTION CENTER ("REGIONAL JAIL")

WHEREAS, the Regional Jail is overcrowded, and public safety and efficient operations are deleteriously impacted by the inmate populations that exceed the design capacity; and

WHEREAS, the jurisdictions that own and operate the Regional Jail have approved a Comprehensive Agreement to Develop and Design the Expansion of the Regional Jail; and

WHEREAS, on October 12, 2004, the Board of Supervisors authorized the County Administrator to execute a Capital Expansion Payment Agreement to effectuate expansion of the Regional Jail; and

WHEREAS, the jurisdictions that own and operate the Regional Jail have requested State funding to reimburse fifty percent (50%) of the costs of expansion; and

WHEREAS, the Virginia Board of Corrections has approved such reimbursement request, contingent upon the consolidation of plans for the construction of the Community Corrections Center (CCC) and the Third Pod; and

WHEREAS, the Regional Jail's request to consolidate the construction plans has been reviewed by the County Budget Office for debt service funding impact; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the consolidation of construction plans for the CCC and the Third Pod at the Regional Jail be, and are hereby, approved.

A Resolution to Identify the Timeline for the Formulation, Review and Adoption of the FY 2006 Fauquier County Budget

RESOLUTION

A RESOLUTION TO IDENTIFY THE TIMELINE FOR THE FORMULATION, REVIEW
AND ADOPTION OF THE
FY 2006 FAUQUIER COUNTY BUDGET

WHEREAS, the County Administrator is required by the Code of Virginia to prepare and submit to the Board of Supervisors a proposed annual budget for the County; and

WHEREAS, it is the intent of the Board of Supervisors to provide a general timeline to the County Administrator in the preparation of the proposed budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the attached FY 2006 Budget Calendar be, and is hereby, adopted, with the understanding that changes can be made at the discretion of the Board; and, be it

RESOLVED FURTHER, That the following general budget functions and times will be followed for the review of the County Administrator's FY 2006 Proposed Budget:

- The County Administrator will submit the FY 2006 Proposed Budget to the Board of Supervisors on February 28, 2005;
- Work sessions will be scheduled as necessary to allow for detailed review of the FY 2006 Proposed Budget and examination of tax rates; and

- The Board of Supervisors will adopt the Fauquier County FY 2006 Budget and CY 2005 tax rates prior to April 1, 2005, to allow for sufficient time to adopt tax rates for the June 5, 2005, real property collection deadline.

Fiscal Year 2006 Budget Calendar

February

28 County Administrator's proposed FY 2006 Budget
Delivered to Board of Supervisors

March

2, 3 Advertise Public Hearing on County Budget and Tax Rate
8 Board Budget Work Session
9 Board Budget Work Session
9-10 Advertise Public Hearing on County Budget and Tax Rate
10 Board Budget Work Session
15 Public Hearing for Citizens Comments on the FY 2006
Proposed Budget and Tax Rates
16 Board Budget Work Session includes Joint Session
w/School Board
17 Board Budget Work Session
31 Board Budget Work Session
31 Budget, Capital Improvement Plan and Tax Rate Adopted

June

30 Adopted Budget Book Printed/Distributed

Note: Additional Work Sessions will be added as necessary

A Resolution to Authorize Acceptance of a Virginia Department of Aviation Grant for the Terminal Building Feasibility Study for the Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF A VIRGINIA DEPARTMENT OF AVIATION GRANT FOR THE TERMINAL BUILDING FEASIBILITY STUDY FOR THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the Virginia Department of Aviation has provided a grant offer to the Warrenton-Fauquier Airport for a Terminal Building Feasibility Study; and

WHEREAS, the purpose of this study is to identify the basic terminal building needs, functions, size, image, location, and preliminary program budget; and

WHEREAS, the Terminal Building Feasibility Study is to be funded by the Virginia Department of Aviation, with a 20% local match to be provided by the Airport Enterprise Fund; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the County Administrator, or his designee, be, and is hereby, authorized to accept the Virginia Department of Aviation Grant for the Terminal Building Feasibility Study for the Warrenton-Fauquier Airport.

RESOLUTION TO APPROVE CHANGES IN THE ELIGIBILITY CRITERIA AND RANKING CRITERIA OF THE PURCHASE OF DEVELOPMENT RIGHTS PROGRAM FOR THE CURRENT (THIRD ROUND) APPLICATION CYCLE

Mr. Atherton moved to adopt the following resolution. Mr. Robison seconded, and the vote for the motion was 4-0 as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. William G. Downey</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE CHANGES IN THE ELIGIBILITY CRITERIA AND RANKING CRITERIA OF THE PURCHASE OF DEVELOPMENT RIGHTS PROGRAM FOR THE CURRENT (THIRD ROUND) APPLICATION CYCLE

WHEREAS, on February 19, 2002, the Fauquier County Board of Supervisors adopted the Purchase of Development Rights (PDR) Program to acquire conservation easements for the purpose of protecting agriculture, providing open space, ameliorating the impact of development on the County, and authorizing payment of \$20,000 per development right; and

WHEREAS, the Fauquier County Board of Supervisors created the PDR Committee to assist the Board of Supervisors in selecting qualified farm properties for preservation; and

WHEREAS, on November 10, 2004, the Fauquier County Board of Supervisors authorized the annual application cycle for properties to be considered under the PDR Program; and

WHEREAS, the PDR Committee recommends that the Board of Supervisors approve changes in the Eligibility Criteria and the Ranking Criteria to allow applicants with lower farm income to be eligible for the Program, and to take into consideration the percentage of development rights offered, participation in conservation practices, visibility, and proximity to service districts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the changes to the Eligibility Criteria and Ranking Criteria of the Fauquier County Purchase of Development Rights Program as set forth herein, be, and are hereby, adopted:

**FAUQUIER COUNTY FARM LAND
PURCHASE OF DEVELOPMENT RIGHTS PROGRAM**

I. Eligibility Criteria:

- | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------|--------|-------|
| 1. | Land is used for a bona fide agricultural operation. | ___Yes | ___No |
| 2. | Parcel is greater than 50 acres, or comprises a combined area of contiguous parcels greater than 50 acres. | ___Yes | ___No |
| 3. | Parcel is not presently zoned any category other than Rural Agricultural (RA) or Rural Conservation (RC). | ___Yes | ___No |
| 4. | The parcel is not under conservation easement or pending consideration for conservation easement or otherwise restricted from development. | ___Yes | ___No |

PDR REVIEW COMMITTEE CRITERIA

Standards for Ranking (high – medium – low)

Agricultural Economic Viability

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------|
| • Gross farm income exceeds \$25,000 | ___Yes | ___No |
| • At least one family member's principal occupation involves farming this parcel/ forestland | ___Yes | ___No |
| • Farm has invested in substantial infrastructure improvements such as barns, bins, specialty structures, fencing, drainage, ditches, waterway improvements, etc. | ___Yes | ___No |

Quality of Farmland

- Parcel size
- Quality of farm infrastructure
- Quality of soils

Surrounding Support Quality

- Strategic Location
- Proximity to protected (eased) property

Likelihood of conversion to Non-Farm Use and Off-Farm Income

- Resident family's gross off-farm income does not exceed \$100,000
- Parcel risk of development
- Road frontage
- Percent of Development Rights Being Offered
- Proximity to Service District
- Proximity to Sewer

Environmental Qualities

- Water resources

- Participation in Conservation Programs
- Participation in Best Management Practices

Historic and Scenic Qualities

- Family Farm History
- Historic Value
- Scenic Value - Gateway View or High Visibility

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING ON A PROPOSED TEXT AMENDMENT TO ARTICLE XIII, SECTION 8-38 OF THE FAUQUIER COUNTY CODE RELATING TO PAYMENT OF ADMINISTRATIVE FEES, ATTORNEY'S FEES AND COLLECTION AGENCY'S FEES IMPOSED UPON CERTAIN DELINQUENT TAXPAYERS PURSANT TO VIRGINIA CODE SECTION 58.1-3958 AND IMPOSITION OF ADMINISTRATIVE COSTS FOR NUISANCE ABATEMENT LIENS

Mr. Atherton moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was 4-0 as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling

Nays: None

Absent During Vote: Mr. William G. Downey

Abstention: None

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO ARTICLE XIII, SECTION 8-38 OF THE FAUQUIER COUNTY CODE RELATING TO PAYMENT OF ADMINISTRATIVE FEES, ATTORNEY'S FEES AND COLLECTION AGENCY'S FEES IMPOSED UPON CERTAIN DELINQUENT TAXPAYERS PURSUANT TO VIRGINIA CODE SECTION 58.1-3958 AND IMPOSITION OF ADMINISTRATIVE COSTS FOR NUISANCE ABATEMENT LIENS

WHEREAS, the Code of Virginia permits localities to impose an administrative fee on persons with delinquent taxes or other delinquent charges; and

WHEREAS, the Board of Supervisors has imposed that administrative fee by adopting Section 8-38 of the Code of Fauquier County relating only to the collection of delinquent taxes, and this fee has now been increased; and

WHEREAS, Section 8-38 does not contain a provision to charge the administrative fees for collection of other delinquent charges; and

WHEREAS, Section 58.1-3958 permits localities to recover attorney's fees or collection agency's fees actually contracted for, and also permits fees for administrative costs for collection on nuisance abatement liens; and

WHEREAS, the Board of Supervisors, wishes to consider the adoption of an Ordinance amending Chapter 8 of the Code of Fauquier County to rename Article XIII to Court Costs and Administrative Fees and to rename Section 8-38 to Payment of Administrative Fees, Attorney's Fees and Collection Agency's Fees; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the County Administrator be, and is hereby, directed to schedule a public hearing on a proposed Ordinance renaming Article XIII to Court Costs and Administrative Fees and renaming Section 8-38 to Payment of Administrative Fees, Attorney's Fees, and Collection Agency's Fees, and amending Chapter 8 of the Fauquier County Code to increase the administrative fees imposed upon delinquent taxpayers or other delinquent charges to be consistent with Section 58.1-3958 of the Code of Virginia; and to allow for recovery of attorney's fees or collection agency's fees up to twenty percent (20%) of the taxes or other charges collected; and to impose a fee for administrative costs for collection on nuisance abatement liens.

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTIONS 2-17 AND 2-17.1 OF THE FAUQUIER COUNTY CODE RELATED TO PARKS AND RECREATION

Mr. Atherton moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was 4-0 as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. William G. Downey</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTIONS 2-17 AND 2-17.1 OF THE FAUQUIER COUNTY CODE RELATED TO PARKS AND RECREATION

WHEREAS, the Board of Supervisors has determined that it is appropriate to consider amendments to Sections 2-17 and 2-17.1 of the County Code addressing duties of the Parks and Recreation Board and Director of the Department of Parks and Recreation; and

WHEREAS, the Code of Virginia requires that the Board of Supervisors hold a public hearing prior to amending the County Code; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the County Administrator be, and is hereby, directed to advertise a public hearing to consider amending Sections 2-17 and 2-17.1 of the Fauquier County Code.

A RESOLUTION TO APPROVE A WAIVER OF ZONING ORDINANCE SECTION 7-302.1.B. TO ALLOW A PRIVATE STREET THAT DOES NOT CONNECT DIRECTLY TO A STATE MAINTAINED ROAD

Mr. Stribling moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was 4-0 as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *Mr. William G. Downey*
Abstention: *None*

RESOLUTION

A RESOLUTION TO APPROVE A WAIVER OF ZONING ORDINANCE SECTION 7-302.1.B. TO ALLOW A PRIVATE STREET THAT DOES NOT CONNECT DIRECTLY TO A STATE MAINTAINED ROAD

WHEREAS, Thomas J. and Linda D. Oliver, owners and applicants, are seeking a waiver to Zoning Ordinance Section 7-302.1.B to allow a subdivision on a private street that does not connect directly to a State maintained road; and

WHEREAS, the applicants wish to create three (3) new family transfer lots from their 44.4362-acre parcel identified as PIN 6971-80-6347-000, with access via a fifty-foot (50') easement that connects to Sandy Ford Road, a private street; and

WHEREAS, Sandy Ford Road is an existing private street that connects directly to Opal Road (Route 687), a State maintained road; and

WHEREAS, on January 27, 2005, the Fauquier County Planning Commission recommended approval of the proposed Zoning Ordinance waiver; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That Zoning Ordinance Section 7-302.1.B be, and is hereby, waived to permit Thomas J. and Linda D. Oliver to create three (3) family transfer divisions on the above-referenced parcel on a private street that does not connect directly to a State maintained road.

STATUS REGARDING THE FLOODPLAIN STUDY FOR THE PENDING SEVINSKY ENTERPRISES, INC. REZONING APPLICATION (REZN04-CR-005)

Following discussion, Mr. Graham moved to table the matter for sixty days. Mr. Robison seconded, and the vote for the motion was 4-0 as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *Mr. William G. Downey*
Abstention: *None*

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Disability Services Board – Jurisdiction: Consumer; Tom Reese, reappointed with a term to expire February 10, 2008.
- Airport Committee – Chairman; James Van Luven, reappointed with a term to expire December 31, 2005.

SUPERVISORS' TIME

- Mr. Robison expressed his appreciation for the many sentiments of sympathy he had received for the recent loss of his uncle.
- Mr. Stribling said that the 2005 VACo/VML Legislative Day on February 3, 2005, in Richmond, was a very successful event. Mr. Stribling also announced that on March 5, 2005, at 7:00 p.m., the Beetles tribute band “Hard Days Night” will perform a benefit concert at Fauquier High School to raise funds for both Fauquier High School and Liberty High Schools.
- Mr. Atherton apologized for leaving Legislative Day early, however, cited the inclement weather was a factor in his decision not to remain overnight in Richmond.
- Mr. Graham stated that the Fauquier County Legislative Day Hospitality Reception in Richmond on February 3, 2005, was held in a more relaxed and productive environment, and allowed for more thoughtful and meaningful conversations with State legislators than had been possible at restaurants in past years. Mr. Graham also expressed his condolences upon the recent deaths of Steve Athey, Gene Hinegardner, and Paula Cheatwood’s thirteen-year old daughter.

ANNOUNCEMENTS

- Mr. McCulla reiterated the Board of Supervisors’ proposed schedule to meet and review the FY 2006 Budget, and stated that the timeline has been posted and is available for citizens to review on-line.
- Mr. McCulla announced that on March 9, 2005, at 6:00 p.m., Fauquier County will host the next Quantico Civilian-Military Council Quarterly Social at the Inn at Vint Hill.
- Mr. McCulla announced that on April 7, 2005, at 9:00 a.m., the Board will meet at the Inn at Vint Hill to evaluate the progress of the Board of Supervisors’ priorities, and to discuss transportation issues in Fauquier County.

A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 6-102, 6-105, 15-300, AND 2-512 TO ALLOW LIVESTOCK ON PARCELS SMALLER THAN 2 ACRES IN RA, RC, RR-2, V, AND R-1 DISTRICTS, TO ESTABLISH SET BACKS FOR ANIMAL ENCLOSURES, AND TO ELIMINATE THE DEFINITION OF COMMONLY ACCEPTED PETS

A public hearing was held, having been continued from January 13, 2005, to consider a proposed Zoning Ordinance Text Amendment to amend Sections 6-102, 6-105, 15-300, and 2-512 to allow livestock on parcels smaller than 2 acres in Rural Agricultural (RA), Rural Conservation (RC), Rural Residential (RR-2), Village (V), and Residential-1 (R-1) Districts, to

establish setbacks for animal enclosures, and to eliminate the definition of commonly accepted pets. Todd Benson, Assistant Zoning Administrator, summarized the text amendments. Mel Cannon, Scott District, spoke in favor of the proposed amendments. No one else spoke. After discussion, Mr. Atherton moved to adopt the following Ordinance. Mr. Downey seconded, and the vote for the motion was unanimous as follows:

Ayes:	<i>Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
Nays:	<i>None</i>
Absent During Vote:	<i>None</i>
Abstention:	<i>None</i>

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 6-102, 6-105, 15-300, AND 2-512 TO ALLOW LIVESTOCK ON PARCELS SMALLER THAN 2 ACRES IN RA, RC, RR-2, V, AND R-1 DISTRICTS, TO ESTABLISH SETBACKS FOR ANIMAL ENCLOSURES, AND TO ELIMINATE THE DEFINITION OF COMMONLY ACCEPTED PETS

WHEREAS, Fauquier County has a key objective to protect the rural character of the County; and

WHEREAS, allowing livestock on parcels of land under two acres is consistent with that objective; and

WHEREAS, that objective is also consistent with stated objectives and recommendations within the adopted Comprehensive Plan; and

WHEREAS, on December 8, 2004, the Planning Commission held a public hearing on the issue, and forwarded the proposed text amendment to the Board of Supervisors with a unanimous vote recommending its adoption; and

WHEREAS, on January 13, 2005, and on February 10, 2005, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance, consistent with the adopted Comprehensive Plan, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 10th day of February 2005, That Sections 2-512, 6-102, 6-105, and 15-300 of the Fauquier County Zoning Ordinance be, and are hereby, amended as follows:

2-512 Limitations on Keeping of Animals

1. Keeping of livestock, fowl and animals of a wild nature shall not be allowed outdoors on any lot less than two (2) acres in area except as follows:
 - a. Livestock are allowed in RA, RC, RR-2, and V districts ~~provided such property is not in a service district~~. Such livestock shall be limited to 1 animal unit, or fraction thereof, per two acres of land provided, however, that the vegetative cover is not over grazed or otherwise disturbed so as to cause, or threaten to cause, erosion and provided further that animal waste is properly managed to prevent off site migration of wastes or waste by-products.
 - b. Livestock are allowed in R-1 districts ~~provided such property is not in a service district~~. Such livestock shall be limited to .5 animal unit, or fraction thereof, per two acres of land provided, however, that the vegetative cover is not over grazed or otherwise disturbed so as to cause, or threaten to cause, erosion and provided further that animal waste is properly managed to prevent off site migration of wastes or waste by-products.
 - c. ~~Nothing in paragraphs a or b, immediately above, circumvents, overrules, or abolishes restrictions on the keeping of livestock imposed by legal covenants.~~
2. Except for livestock and dogs, as provided in Subsection 3 below, the keeping of ~~commonly accepted pets~~ animals shall be allowed as an accessory use on any lot provided such ~~pets~~ animals are for personal use and enjoyment, and not for any commercial purpose, provided further that such animals, ~~birds, or fowl~~ are confined to the interior of the dwelling or other permitted accessory buildings or otherwise under the direct personal control of the owner.
3. Dogs which are kept as pets not exceeding four (4) in number shall be permitted upon any property if they are confined to the site by chain, pen or other such restraints. Five (5) to twelve (12) dogs may be kept upon the property provided they are penned or restrained so as not to roam nearer than forty (40) feet from any property line, and the lot contains two (2) or more acres. Dogs less than six (6) months of age shall not be counted.

6-102

Permitted Accessory Uses

Accessory uses and structures shall include, but are not limited to, the following uses and structures, provided that such uses or structure shall be in accordance with the definition of Accessory Use contained in Article 15.

1. Antenna structures
2. Barns and any other structures that are customarily incidental to an agricultural use on a tract of land not less than two (2) acres; houses, sheds,

pens and other similar structures for the housing of livestock when such animals are permitted on two acres or less.

[3 through 29 - Same]

6-105

Location Regulations

1. If an accessory-type building is attached to a principal building by any wall or roof construction, it shall be deemed to be a part of the principal building and shall comply in all respects with the requirements of this Ordinance applicable to a principal building.

2. Off-street parking and loading spaces shall be located in accordance with the provisions of Article 7.

3. Signs shall be located in accordance with the provisions of Article 8.

4. Wayside stands shall be located in accordance with the provisions of Paragraph 23 of Section 102 above.

5. Ponds shall be located in accordance with the provisions of Paragraph 24 of Section 102 above.

6. Barns shall not be located less than 100 feet from any property line, except if located on a property zoned RC/Rural Conservation, RA/Rural Agriculture, I-1/Industrial or I-2/Industrial and also if located on a property line adjacent to property zoned RC/Rural Conservation, RA/Rural Agriculture, I-1/Industrial or I-2/Industrial, then the Board of Zoning Appeals may reduce this setback requirement by approval of a special permit.

7. Houses, sheds, pens and other similar structures on lots of two acres or less for the housing of livestock shall be set back 25 feet from the side and rear lot lines and not permitted in any required minimum front yard ;

~~7-8.~~ The following regulations shall apply to the location of all accessory structures or uses except those specifically set forth in Paragraphs ~~1-5~~ 7 above.

A. An accessory structure or use, no part of which exceeds seven (7) feet in eight, may be located in any part of any side or rear yard, except as qualified in Section 2-505.

B. No accessory structure or use shall be located in any required minimum front yard, except fences which do not exceed five feet in height, statues, arbor, trellis or flagpole, gate and gate posts.

C. No accessory structure or use which exceeds seven (7) feet in height shall be located in any required minimum side yard except as may be expressly permitted by a variance granted in accordance with the provisions of Part 4 of Article 13.

D. No accessory structure or use which exceeds seven (7) feet in height shall be located closer than a distance equal to its height to any lot line in the rear yard except as may be expressly permitted by a variance granted in accordance with the provisions of Part 4 of Article 13.

E. On a corner lot, the rear line of which adjoins a side lot line of a lot to the rear, no accessory structure or use which exceeds seven (7) feet in height shall be located: (1) Nearer to any part of the rear lot line that adjoins the side yard on the lot to the rear than a distance equal to the required minimum side yard on such lot to the rear, or, (2) Nearer to the side street line than a distance equal to the required front yard on the lot to the rear.

15-300
15-301

Definitions

AGRICULTURE: The use of a tract of land not less than five (5) acres for (a) the tilling of the soil, (b) the growing of crops or plant growth of any kind in the open, including forestry, (c) pasturage, (d) horticulture, (e) dairying, (f) floriculture or (g) raising of poultry and/or livestock. The term agriculture shall not include the following uses: (a) the maintenance and operation of commercial greenhouses and hydroponic farms, (b) the operation or maintenance of a commercial stockyard or feed yard, (c) the manufacture, processing or storage of mulch made from off-site material or for commercial purposes, (d) the sorting and grading of logs and trees except where the logs and trees are from on-site or from adjoining properties. Furthermore, the definition of agriculture shall not be deemed to preclude (a) the keeping of livestock on parcels of two (2) acres in size as permitted by Section 2-512, or (b) gardening as permitted as an accessory use in Section 6-102; provided, however, subsection (c) of this above provision shall not apply to applications received by the Department of Community Development on or before March 17, 2003.

~~**PETS, COMMONLY ACCEPTED:** Domesticated rabbits; hamsters; ferrets; gerbils; guinea pigs; pet mice and pet rats; turtles; fish; dogs; cats; domestic chickens; duck and geese under two (2) months old; birds, such as canaries, parakeets, doves, and parrots; worm/ant farms; non-poisonous spiders; chameleons and similar lizards; and non-poisonous snakes.~~

ANIMAL UNIT: An animal unit is the equivalent of 1,000 pounds of live animal weight. Thus, a 1,200 pound dairy cow would be 1.2 animal units and a 200 pound hog would be .2 animal units. For purposes of this ordinance, the following shall be deemed equivalent to one animal unit at maturity: 1 cow, 1 bull, 1 horse, 2.5 sows (swine), 2 boars (swine), 5 ewes

(sheep), 3.75 rams(sheep), 6 goats, 3 llamas, 6 alpacas, 3 ostrich, 7 emus, 11 rheas, 75 chickens, 35 turkeys.

PROPOSED AMENDMENT TO LEASE OF PROPERTY TO BIRMINGHAM GREEN ASSISTED LIVING, INC.

A public hearing was held to consider a dedication of right-of-way, grant of easements, and revisions to lease of the following parcels of land to Birmingham Green Assisted Living, Inc., for the purpose of building supportive housing for the elderly and disabled. Mr. Graham waived a staff report. No one spoke. After discussion, Mr. Atherton moved to adopt the following resolution. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE A LEASE AMENDMENT WITH BIRMINGHAM GREEN ASSISTED LIVING, INC.

WHEREAS, the five jurisdictions which own Birmingham Green have proposed to amend the existing lease of the property to permit Birmingham Green Assisted Living, Inc., to build supportive housing for the elderly and disabled; and

WHEREAS, the localities are authorized, in accordance with Section 15.2-1800B of the Code of Virginia, to lease the land for any public use and to grant interests in real property; and

WHEREAS, as required by law, the Board of Supervisors held a public hearing on the proposed property lease, grant of easements, and dedication of right-of-way; and

WHEREAS, by adoption of this resolution, the Board of Supervisors has determined it to be in the best interest of the citizens of Fauquier County to enter into the lease amendment with Birmingham Green Assisted Living, Inc., and grant the easements and right-of-way related to the project; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the Chairman of the Board of Supervisors be, and is hereby, authorized to execute on behalf of the County the amended lease to grant the proposed easements and to dedicate the proposed right-of-way to Birmingham Green Assisted Living, Inc.

PROPOSED AMENDMENT TO THE FY 2005 ADOPTED BUDGET IN THE AMOUNT OF \$2,131,328

A public hearing was held to consider various budget related issues in the amount of \$1,924,707 in appropriations for FY 2005 and \$206,621 in transfers. Bryan Tippie, Budget Director, summarized the proposed budget amendment. No one spoke. After discussion, Mr. Downey moved to adopt the following resolution. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

**A RESOLUTION TO AMEND THE FY 2005 ADOPTED BUDGET
IN THE AMOUNT OF \$2,131,328**

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 29, 2004, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2005 Budget; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, on January 6, 2005, the Finance Committee recommended FY 2005 budget adjustments of \$2,131,328 for the purposes set forth below; and

WHEREAS, on February 10, 2005, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the FY 2005 Budget be, and is hereby, amended in the amount of \$2,131,328 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
FY 2005					
Sale Proceeds	3-100-152100-0002	\$12,532	Sheriff's Office	4-302-031200-8107	\$12,532
Sale Proceeds	3-100-152100-0002	\$10,700	Sheriff's Office	4-302-031200-8107	\$10,700
Sale Proceeds	3-100-152100-0002	\$100	Sheriff's Office	4-100-031200-3160	\$100
Insurance Reimbursement	3-100-411000-0010	\$1,890	Sheriff's Office	4-302-31200-8107	\$1,890

Capital Fund	4-302-66600-8705	\$8,286	School Division	4-205-64220-3160-900-000	\$8,286
State Funds	3-100-244100-0145	\$1,458	Commonwealth's Attorney Office	4-100-22110-9999	\$1,458
Capital Fund	4-302-94109-8212	\$44,200	Information Technology	4-100-012511-8205	\$44,200
Donation	3-270-189900-0050	\$1,048	F&RA	4-270-032250-6004	\$1,048
Fund Balance	3-100-419000-0010	\$678,229	School Division	4-205-61100-6013-201-100	\$4,590
				4-205-61100-6013-202-100	\$6,540
				4-205-61100-6013-203-100	\$4,000
				4-205-61100-6013-204-100	\$4,450
				4-205-61100-6013-205-100	\$5,270
				4-205-61100-6013-206-100	\$2,090
				4-205-61100-6013-207-100	\$4,240
				4-205-61100-6013-208-100	\$5,270
				4-205-61100-6013-209-100	\$5,670
				4-205-61100-6013-210-100	\$5,490
				4-205-61100-6013-307-100	\$4,730
				4-205-61100-6013-301-100	\$6,790
				4-205-61100-6013-302-100	\$5,630
				4-205-61100-6013-303-100	\$4,430
				4-205-61100-6013-304-100	\$4,000
				4-205-61100-6013-305-100	\$17,240
				4-205-61100-3160-305-100	\$3,975
				4-205-61100-6013-306-100	\$16,570
				4-205-61100-3160-306-100	\$3,975
				4-205-62124-3160-900-000	\$100,000
				4-302-66610-8711	\$463,279
Fund Balance	3-100-419000-0010	\$678,229	Budget Office	4-302-91400-0205	\$678,229
Fund Balance – Carryover	3-100-419000-0010	\$169,910	Budget Office for General Services	4-100-043414-6007 4-100-043416-3310	\$59,625 \$110,285
Fund Balance – Carryover	3-100-419000-0010	\$114,071	Parks & Recreation	4-100-043415-3310	\$114,071
F&R Fund Balance – Carryover	3-270-419000-0010	\$29,909	Fire & Rescue – Goldvein	4-270-032308-5647	\$29,909
Capital Fund	4-302-094202-8210	\$72,700	Finance for General	4-100-043416-3310	\$72,700

			Services		
Capital Fund	4-302-094203-8210	\$57,400	Finance for General Services	4-100-043416-3310	\$57,400
State Funds	3-100-244400-0010	\$6,800	Finance for General Services	4-100-043450-1302	\$8,000
Local Funds	3-100-152200-0004	\$22,320	(Armory)	4-100-043450-2100	\$600
				4-100-043450-3160	\$380
				4-100-043450-3310	\$1,000
				4-100-043450-5110	\$7,000
				4-100-043450-5120	\$10,658
				4-100-043450-5130	\$720
				4-100-043450-5230	\$360
				4-100-043450-6005	\$202
				4-100-043450-6014	\$200
State Funds	3-100-24100-0040	\$14,925	Social Services	4-100-053165-1302	\$4,420
				4-100-053165-2100	\$455
				4-100-053165-5420	\$7,200
				4-100-053165-5230	\$1,075
				4-100-053165-6001	\$250
				4-100-053165-5210	\$25
				4-100-053165-5410	\$600
				4-100-053165-5235	\$150
				4-100-053165-6026	\$750
Contingency Reserve (Transfer)	4-100-091400-9999	\$79,727	Sheriff's Office	4-100-031200-5877	\$79,727
Contingency Reserve (Transfer)	4-100-091400-9999	\$10,589	Sheriff's Office	4-100-031200-5877	\$10,589
Contingency Reserve (Transfer)	4-100-091400-9999	\$2,000	Contribution – Community Services Board	4-100-052500-5620	\$2,000
Contingency Reserve (Transfer)	4-100-091400-9999	\$3,600	Social Services	4-100-053110-1701	\$3,600
Capital Fund (Transfer)	4-302-66610-8715	\$58,000	School Division	4-302-66600-8704	\$58,000
Capital Fund (Transfer)	4-302-66610-8715	\$10,000	School Division	4-302-66600-8723	\$10,000
Capital Fund (Transfer)	4-302-66610-8715	\$41,557	School Division	4-302-66610-8711	\$42,705
	4-302-66610-8722	\$1,148			
TOTAL		\$2,131,328			\$2,131,328

A PUBLIC HEARING ON THE APPLICATION OF HOSPICE OF FAUQUIER COUNTY, INC., FOR AN EXEMPTION OF ITS REAL AND PERSONAL PROPERTY FROM TAXATION

A public hearing was held to consider an application for real and personal property tax exemption pursuant to Section 58.1-3651 of the Code of Virginia. Mr. McCulla provided a summary of the proposed application, and disclosed that he sits on the Board of Directors for Hospice of Fauquier County, Inc. No one spoke. After discussion, Mr. Atherton moved to adopt the following Ordinance. Mr. Downey seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Harry Atherton; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling

Nays: *None*
Absent During Vote: *None*
Abstention: *None*

ORDINANCE

AN ORDINANCE EXEMPTING THE REAL AND PERSONAL PROPERTY OWNED BY HOSPICE OF FAUQUIER COUNTY, INC., FROM TAXATION

WHEREAS, Fauquier County Code Section 8-53 authorizes the Board of Supervisors to designate property as exempt from taxation where such property is held by an organization that uses the property exclusively for charitable purposes; and

WHEREAS, Virginia Code §58.1-3651 sets forth the process and procedure by which a locality may designate property as tax exempt; and

WHEREAS, Virginia Code §58.1-3651.B requires that, prior to the adoption of any Ordinance exempting property from local taxation, the Board of Supervisors shall hold a public hearing on the proposed application; and

WHEREAS, the Board of Supervisors, after due notice and public hearing, has considered the questions set forth in §58.1-3651.B and, upon consideration of those questions, has determined that the application for the proposed exemption from taxation should be granted; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 10th day of February 2005, That the real and personal property owned by Hospice of Fauquier County, Inc., be, and is hereby, designated as exempt from taxation for real and personal property taxes of the County, based upon Hospice of Fauquier County, Inc.'s exclusive use of said property for charitable purposes; and, be it

ORDAINED FURTHER, That the continuance of this exemption shall be conditioned upon the continuous use of this property in accordance with the purpose for which this organization has been designated; and, be it

ORDAINED FINALLY, That this exemption shall be effective on January 1, 2005.

With no further business, the meeting was adjourned at 7:21 P.M., to reconvene on March 8, 2005.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on February 10, 2005.

Paul S. McCulla

Clerk to the Board of Supervisors